

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

**IVAN MAURICIO REYES,
Plaintiff,**

vs.

**ARSHDEEP SINGH LADHROIEA,
LOPO FREIGHT INC., LIMIN YANG,
AND MIDWAY TRUCKING INC,
Defendant.**

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CASE NO.

LOPO FREIGHT INC.'S NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1441 and 1446, Lopo Freight, Inc. ("Defendant") hereby removes the above-captioned action to this Court from Cause No. 21-08-24103-CVR in the 143rd District Court of Reeves County, Texas. This Court has original jurisdiction under 28 U.S.C. § 1332.

GROUND FOR REMOVAL

DIVERSITY

1. This case is removable under 28 U.S.C. §§ 1332(a) and 1441(a) because this is a civil action in which Plaintiff filed suit seeking the recovery of alleged damages for alleged personal injury damages and, at this time, original jurisdiction exists because the amount in controversy exceeds \$75,000.00, exclusive of interest and costs, and there is complete diversity between Plaintiff and Defendants in this action. Plaintiff, Ivan Mauricio Reyes, is a citizen of Lewisville, Denton County, Texas. (See Attachment 1). Defendant Lopo Freight Inc. is a citizen of California, the state of its incorporation and its principal place of business. Defendants Arshdeep Singh Ladhroiea, Limin Yang, and Minway Trucking, Inc. are also citizens of California. Accordingly, Plaintiff and Defendants have complete diversity of citizenship.

AMOUNT IN CONTROVERSY

2. Plaintiff alleges that he seeks an amount in excess of \$1,000,000.00.

3. Defendant denies any liability to Plaintiff, but for removal purposes, the amount in controversy based on Plaintiff's alleged damages exceeds the \$75,000.00 threshold required for federal diversity jurisdiction.

NOTICE OF REMOVAL IS TIMELY

4. Plaintiff's Original Petition was served on January 17, 2022. This notice of removal is filed within 30 days of receipt of the Original Petition and is therefore timely under 28 U.S.C. § 1446(b).

REMOVAL AND OTHER DOCUMENTS

5. Pursuant to 28 U.S.C. § 1446(a), Defendant attaches to this notice the following papers, which are all of the process, pleadings, and orders served on it prior to removal of this action:

- a. Plaintiff's Original Petition, attached hereto as Attachment 1.
- b. Notice of Service of Process, attached hereto as Attachment 2.
- c. Defendant's Original Answer, attached here to as Attachment 3.

6. Undersigned counsel certifies that there were no motions pending and no hearings set as of the date of this Notice of Removal.

NOTICE TO PLAINTIFF AND THE STATE COURT

7. In accordance with 28 U.S.C. § 1146(d), this Notice of Removal is also being promptly filed with the 143rd Judicial District Court, Reeves County, Texas, and served upon Plaintiff's counsel of record.

JURY DEMAND

8. Plaintiff made a jury demand in the state court.

WHEREFORE, Defendant Lopo Freight Inc. hereby removes the state court action from the 143rd Judicial District Court, Reeves County, Texas, to this Court.

Respectfully submitted,

/s/ WILLIAM E. BERRY, JR.

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Attorneys for Defendant

Lopo Freight, Inc.

CERTIFICATE OF SERVICE

I certify that on this the 7th day February, 2022, I electronically filed the foregoing notice of removal with the clerk of the court using the CM/ECF system which may send notification of such filing to the following emails, and that a full and complete copy hereof was also sent by counsel for Defendant via electronic mail to:

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/s/ WILLIAM E. BERRY, JR.
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